

Appl. No. : **09/827,772**
Filed : **April 6, 2001**

REMARKS

This paper amends Claims 1, 11, 17 and 23, and adds new Claims 24-32. Claims 2-10, 12-16 and 18-22 are unchanged. Claims 1-32 are pending. Reconsideration and allowance of the claims is respectfully requested. The amendments for Claims 1, 11, 17 and 23 are for clarification, are not meant to avoid any prior art and are not narrowing.

Discussion of Claim Rejection under 35 USC § 112, 2nd ¶

Claims 1, 11, 17 and 23 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claims 1, 11, 17 and 23 to correct the indefiniteness.

Discussion of Claim Rejection under 35 USC § 102(e)

Claims 11-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Jain et al. (U.S. Patent No. 6,567,980).

Applicant's Claim 11 recites in part: "a content owner facility comprising a content owner web site associated with a content owner network server". The Jain reference does not disclose this feature. The Office Action recites Figure 1 and column 4, lines 5-18 of Jain that identify the *content server* (140) as disclosing this feature. The *content server* of Jain stores and serves encoded video. In certain embodiments of Applicant's application, the *content distribution network* (240, Figures 2 and 3) performs at least this function and may include a *video server* (not shown). The content owner web site associated with a content owner network server does not store and serve the encoded video, but rather, generates and serves the web pages (332, Figure 3).

Claim 11 further recites in part: "a hosted video application module configured to provide video elements for display on the content owner web site at the content owner facility". Since the Jain reference does not disclose the content owner facility comprising a content owner web site associated with a content owner network server, Jain also does not display video elements on the content owner web site at the content owner facility.

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The arguments for Claim 11 above apply as well for independent Claim 17. Furthermore, Claim 17 recites in part: "wherein the video content is delivered from a remote location to the location where the video content is encoded and indexed, and wherein the content owner network site is also remote from the location where the video content is encoded and indexed". The Jain reference does not disclose these features.

Dependent Claims

Claims 12-16 and 18-23 are dependent either directly or indirectly on one of the above-discussed independent claims. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

New Claims

Applicant has added new dependent Claims 24-32. Claims 24-32 are supported by at least pages 6 and 13 of the patent specification.

Allowed Claims

Claims 1-10 are allowable as stated in the Office Action mailed June 20, 2005.

Conclusion

In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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